

REGULAR MEETING OF THE JASPER COUNTY COUNCIL

November 20, 2012

The Jasper County Council met this date at 7:00 P.M. C.S.T. in the Commissioners' Room, Suite 202, of the Jasper County Courthouse located at 115 West Washington Street, Rensselaer, Indiana, with the following members present: Charles L. Hamstra, H. Dan Stalbaum, Gerrit H. DeVries, Rein O. Bontreger, John T. Price and Stephen R. Jordan. Also present was the Auditor of Jasper County, Donya G. Jordan; Deputy Auditor, Donna J. Horner and Deputy Auditor, Kimberly K. Grow. Ronald G. Sipkema was absent. Mr. Stalbaum called the meeting to order and those present stood and recited the Pledge of Allegiance led by Mr. Hamstra.

MINUTES: Mr. DeVries made a motion to approve the Minutes of the Regular Meeting held on October 16, 2012 as submitted. Mr. Price seconded and the motion carried unanimously.

ADDITIONAL APPROPRIATION / CAGIT – LEGISLATION FUND: Advertised in the CAGIT – Special Legislation Fund, Supplies, Institutional Supplies was \$6,000.00. Sheriff Risner explained that the \$6,000.00 is needed to purchase items that are utilized for inmates – uniforms, towels, cleaning supplies, etc. Mr. Price made a motion to approve **Ordinance No. 2012-11A** as advertised. Mr. Bontreger seconded and the motion carried unanimously.

ADDITIONAL APPROPRIATION / COUNTY CREDIT FUND: Advertised in the County CREDIT Fund, Technology, Other Services & Charges, Telephone/Internet/Cell Phones was \$50,000.00. Sheriff Risner explained that the hook-up fees for all of the lines coming into the county have always been paid for by the Commissioners. CenturyLink charges a hook-up fee for every line coming into our department (phone, internet, digital). This charge is above and beyond our normal charges. In response to a question from Mr. Stalbaum, Sheriff Risner replied that it is a monthly surcharge. Mrs. Jordan explained that this amount was not originally budgeted. Mr. Bontreger made a motion to approve **Ordinance No. 2012-11B** as advertised. Mr. Hamstra seconded and the motion carried unanimously.

ADDITIONAL APPROPRIATION / PROSECUTING ATTORNEY'S BUDGET: Advertised in the County General Fund, Prosecuting Attorney's Budget, Personal Services, 3rd Deputy was \$34,600.00. Kathryn O'Neill, Prosecuting Attorney, explained per letter that currently the first six months of the 3rd Deputy Prosecutor is being paid out of the County General Fund and the second half is paid out of the Title IV-D Incentive Budget. Due to a recent change in federal legislation, the County no longer gets reimbursed for monies spent out of the Title IV-D Budget as it once did. However, if the entire salary is paid for out of the County General Fund, the County will get reimbursed 66%. Therefore, the request has been made to appropriate the second half of the salary (\$34,600.00) within the County General Fund. Mr. Jordan made a motion to approve **Ordinance No. 2012-11C** as advertised. Mr. Price seconded and the motion carried unanimously.

ADDITIONAL APPROPRIATION / CIRCUIT COURT BUDGET: Advertised in the County General Fund, Circuit Court Budget, Personal Services, Per Diem Petit Jury was \$3,000.00. Mr. Hamstra made a motion to approve **Ordinance No. 2012-11F** as advertised. Mr. DeVries seconded and the motion carried unanimously.

WEED ERADICATION FUND / ADDITIONAL APPROPRIATION: Advertised in the Weed Eradication Fund, Personal Services was \$1,800.00 in Part-Time Help; \$50.00 in SS Medicare and \$150.00 in Social Security. Also advertised was \$1,000.00 in Supplies, Other Supplies for a total request of \$3,000.00. Mrs. Jordan explained that this money is collected from fines and fees. Mr. Bontreger made a motion to approve **Ordinance No. 2012-11D** as advertised. Mr. Jordan seconded and the motion carried unanimously.

ADDITIONAL APPROPRIATION / SUPPLEMENTAL PUBLIC DEFENDER FUND: Advertised in the Supplemental Public Defender Fund, Other Services & Charges, Services & Charges was \$15,000.00. Mr. Bontreger made a motion to approve **Ordinance No. 2012-11E** as advertised. Mr. Hamstra seconded and the motion carried unanimously.

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TRANSFER / SUPERIOR COURT BUDGET: A request has been made to transfer \$338.94 from Personal Services, Transcripts & Depositions into Supplies, Lawbooks within the County General Fund, Superior Court Budget. The transfer is needed to pay for current invoices for the purchase of lawbooks. Mr. Price made a motion to approve the transfer as requested. Mr. Bontreger seconded and the motion carried unanimously.

TRANSFER / CREDIT COUNTY SHARE FUND: A request has been made to transfer \$3,250.00 from Supplies, TELEX with \$250.00 going into Telephone (Sheriff) and \$3,000.00 going into Radio Repair & Maintenance (Sheriff) within the CREDIT County Share Fund, Other Services & Charges. These transfers are necessary to make payment of bills that will be due this calendar year but for which account balances will be short of funds without these transfers. Mr. Price made a motion to approve the transfer as requested. Mr. Bontreger seconded and the motion carried unanimously.

TRANSFER / COUNTY USER FEE FUND: A request has been made to transfer \$858.69 from Supplies, User Fee Equipment Rental/Maintenance/Repair into Other Services & Charges, Law Enforcement Cont. Education within the County User Fee Fund, Courts Budget. A request was also made to transfer \$4,200.72 from Other Services & Charges, Drug & Alcohol Awareness into Capital Outlays, Furniture & Equipment within the County User Fee Fund, Courts Budget. This transfer is needed to bring the balances from a negative cash flow to a positive one. Mr. Jordan made a motion to approve the transfer as requested. Mr. Hamstra seconded and the motion carried unanimously.

WEED BOARD BUDGET / TRANSFER: A request has been made to transfer \$314.62 from Personal Services, Weed Board Part-Time Help into Supplies, Other Supplies within the County General Fund, Weed Board Budget. Mr. DeVries made a motion to approve the transfer as requested. Mr. Price seconded and the motion carried unanimously.

GENERAL LOCAL HEALTH MAINTENANCE FUND / TRANSFER: A request has been made to transfer \$127.00 from Supplies, Educational Material into Other Services & Charges, Printing within the General Local Health Maintenance Fund, Health Department Budget. This amount will be used to pay the printing bill from Campbell Printing Company. Mr. Bontreger made a motion to approve the transfer as requested. Mr. Hamstra seconded and the motion carried unanimously.

TRANSFER / AVIATION FUND: A request has been made to transfer \$11,845.95 from Capital Outlays, New Equipment into Supplies, Purchase of Aviation Fuel within the Aviation Fund. Mr. Price made a motion to approve the transfer as requested. Mr. DeVries seconded and the motion carried unanimously.

TAX ABATEMENT REQUEST / TERBORG DISTRIBUTING, INC: A public hearing was held to address a tax abatement request for Terborg Distributing, Inc. Information was distributed for the Council's review. Mrs. Jordan explained that the Council will be addressing the Preliminary Tax Abatement Resolution this evening. The final Resolution will be voted on at the December Council meeting. Mr. DeVries expressed concern with the fact that the applicant was not present. Mr. DeVries would like to know what kind of work has been done so far and have any building permits been secured and obtained? Has this ever been determined to be an economic revitalization area? At this time, Mr. Stalbaum asked for public comment. Tom Mathis, member of the audience, presented minutes from the June 27, 2011 meeting where the applicant requested to rezone the property from A-1 to B-3 which would allow them to have a distribution warehouse on the property. The applicant was granted the change in zoning. Mr. Mathis continued to state that, with the adoption of the new UDO (Unified Development Ordinance), we no longer have a B-3 zone. With the adoption of the new UDO, the County has redesignated parcels to a new zone. The new zone that the applicant is in is a general commercial zone which does not permit a distribution warehouse. The new UDO requires a distribution warehouse to be located in an I-1 zone. Mr. Mathis stated that he questioned from the get go why this business was out in the middle of an agricultural zone to begin with. Mr. Price asked if they were rezoned before or after the UDO? Mr. Mathis replied that they were rezoned before. Mr. DeVries stated that, according to what we (Council) have received from the Economic Revitalization Area Advisory Panel, it appears that they assume that this is already an economic revitalization area and I do not believe that this is true. The stipulation for an economic development area is that it can be of no use for anything else – a depressed area.

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TAX ABATEMENT REQUEST / TERBORG DISTRIBUTING, INC CON'T: They need to explain to me why they would think that it classifies that way. Mr. DeVries stated that, while checking information as to what other counties have done, a big part of tax abatement depends upon how many jobs you can offer. I came across a lot of information that counties look at it from 0-9 would actually qualify for no more than a 3-year tax abatement plan. Another thing is has anything been done at the site already? If you are planning on doing the project whether you receive tax abatement or not, it really does not qualify. We have to be careful as to why we are just granting these things. I am trying to determine some degree of consistency and reason for the granting of abatement beyond just having the boldness of the applicant to come forward and the rubber stamp of the Economic Development Advisory Panel as well as us as a County to just grant whatever is asked. Mr. Stalbaum stated that he feels there are too many questions to make a decision tonight. I also agree that the abatement percentages need to be considered. Mr. Price made a motion to table the Preliminary Tax Abatement Resolution for Terborg Distributing, Inc. until next month. Mr. Jordan seconded and the motion carried unanimously.

TAX ABATEMENT REQUEST / MONSANTO COMPANY: Joan Steckel, Senior Manager Incentives and Indirect Tax, and John Sturgis, Remington Plant Manager, were present to discuss their tax abatement request for the expansion of the Remington facility. Ms. Steckel stated that she would like to make the point that she does think that abatement does promote economic development. In fact, when we came to you in 2009, we thought that we would be adding 8 employees. Today, at this time, we have added 20. We realize that we do have ground equipment moving out there today. After the drought this year, we had to scrap our capital budget that we had going towards some things in St. Louis and say what can we do to produce enough seed for the farmers for next year. Remington is where we chose to put \$30 million of that money. We will be adding two (2) more employees. Your tax base in Jasper County as a result of our expansions over the last 5 years has almost tripled. Ms. Steckel respectfully requested that the Council grant a 5-year graduated abatement. Mr. Bontreger asked if this expansion would max out your potential? Mr. Sturgis replied that we will still have room for expansion. In response to a question from Mr. DeVries, Ms. Steckel replied that this is a \$30 million project. This is a big project for us. Mr. DeVries stated that you already have the project going, right? Ms. Steckel replied yes. In our case, we really can't wait to fit into the County board meetings. It takes us a year to prepare for harvest. Mr. Sturgis cannot be waiting for his dryers in November of next year because we are waiting on a County board meeting. Mr. DeVries questioned if this comes as an afterthought? You already have the project planned and you're already digging. Mr. Sturgis replied that the request and the project basically began simultaneously. Mr. DeVries stated that the thing to consider is that you are only creating two (2) jobs at a salary of \$35,000.00 each. That's really not much of a return for a \$30 million project. The point of tax abatement is not achieved by granting anybody that walks in here. Further discussion took place. Mr. Jordan stated that you have another seed plant down there that received tax abatement from the Town of Remington. The expansion and employment provided by Monsanto is way more than the other facility. They do promote economic development by this expansion and it does meet some of the criteria of tax abatement. At this time, Mr. Stalbaum asked for public comment. There was no public comment. Mr. Price made a motion to approve the Preliminary Tax Abatement Resolution for Monsanto Company (**Resolution No. 11-20-12B**). Mr. Bontreger seconded. Along with Mr. Price and Mr. Bontreger, Mr. Jordan and Mr. Hamstra also voted in favor of the motion. Mr. DeVries voted against the motion. Motion carries with a vote of 4-1. Ms. Steckel stated that she would like to point out that their taxes have almost tripled in the last five years. Another purpose of abatement that another gentleman at the Economic Revitalization Meeting pointed out was that tax abatement helps a company ease into the increased tax burden that you have with a \$30 million project.

THANK-YOU / ELECTION: Mr. Price expressed his thanks to Vickie Bozell, Clerk, as well as her staff and the election workers for the great job they did during the election. A thank-you was also extended to the voters who participated and Mr. Ahrendt who he felt did a good job for his first time running for a county office.

ASSESSOR / LEVEL BONUSES: Mrs. Jordan distributed information from Dawn Hoffman, Assessor, regarding Level II and Level III status. An additional appropriation will be done in January for those employees who recently achieved their Level II status. A decision will also need to be made regarding the Level III status.

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LETTER TO REPRESENTATIVES / LOCAL OPTION INCOME TAX B: Upon request, Attorney Monfort recently drafted a letter regarding the current state of legislation as it pertains to the Local Option Income Tax B to be sent to the State Representatives. Mr. DeVries stated that the letter has to deliver the proper points and thinks that it really didn't spell out in the correct way what we wanted to address. Mr. DeVries reviewed the revisions that he made to the original draft.

MINUTES / COUNTY WEBSITE: Mr. DeVries stated that he has had several citizens ask about putting the Minutes of the Commissioner and Council meetings on the public site to view. Mr. Mathis, audience member, stated that there is an article in the Times Newspaper that the Auditor in Porter County would like to see all of their meetings videotaped for view on the internet. This would give people a more clear interpretation as to what transpires as not everything makes it into the minutes of the meeting.

AIRPORT AUTHORITY BOARD: In regards to the Airport Authority, Mr. DeVries suggested that the recommendation be made to expand the number of people who make up this board. State law does allow us to expand this to a five (5) member board. We, as County Council, do not have a say in who is appointed to the board; but, we do have a say in expenses. Since we will be overseeing the budget each year, I think one of the things we want to look at is how things are being spent and what kind of income is coming in. I would think that if we would expand that to five (5) members, the two (2) new members should be people who have no personal interest in flying but that they have a personal interest in business tying private funds in with public funds to do a lot more things. Andy Andree, Council Member Elect, replied that he has already spoken with the Commissioners and he doesn't think that anyone is against having five (5) members or even having non-flying members.

EXECUTIVE SESSION / CYMA: Mrs. Jordan reported that an executive session was recently held with the Commissioners in regards to CYMA. CYMA is the financial program that is used by the Auditor and Treasurer. A brief update was given.

There being no further business, Mr. Hamstra made a motion to adjourn. Mr. Bontreger seconded and the motion carried unanimously.

Ronald G. Sipkema, President

ATTEST:

Donya G. Jordan, Auditor of Jasper County

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